

GABROY LAW OFFICES
170 S. Green Valley Pkwy., Suite 280
Henderson, Nevada 89012
(702) 259-7777 FAX: (702) 259-7704

GABROY LAW OFFICES
Christian Gabroy (#8805)
Kaine Messer (#14240)
The District at Green Valley Ranch
170 South Green Valley Parkway, Suite 280
Henderson, Nevada 89012
Tel (702) 259-7777
Fax (702) 259-7704
christian@gabroy.com
kmesser@gabroy.com
Attorneys for Plaintiff Tiare Ramirez

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TIARE RAMIREZ, an individual;

Plaintiff,

vs.

WYNN LAS VEGAS, LLC; DOES I through
X; and ROE Corporations XI through XX,
inclusive;

Defendant.

Case No: 2:19-cv-01174-APG-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(Third Request)

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES

The parties, by and through their respective counsel of record, hereby stipulate and request that the deadline to complete discovery, and all corresponding deadlines in the Court's Scheduling Order (ECF No. 34), be extended by ninety (90) days.

A. DISCOVERY COMPLETED:

Both parties have exchanged their initial disclosures required under Fed. R. Civ. P. 26(a)(1)(A). Plaintiff served her initial disclosures on September 9, 2019 and her first supplemental disclosures on November 1, 2019. Defendant served its initial disclosures on September 10, 2019 and its first supplemental disclosures on November 1, 2019. Defendant responded to Plaintiff's first sets of interrogatories and requests for production of documents on November 1, 2019. Plaintiff responded to Defendant's first sets of interrogatories and requests for production of documents on November 1, 2019.

On December 6, 2019, Defendant issued third-party subpoenas for Plaintiff's employment, education and medical records. Plaintiff objected to and moved to quash

the subpoenas for Plaintiff's employment and education records (ECF No. 23). Defendant withdrew the subpoenas for Plaintiff's education records but maintained its request for Plaintiff's employment records from Caesars Palace and Able Baker Brewing. The parties fully briefed the issue regarding the discoverability of Plaintiff's employment records and on January 31, 2020, Magistrate Judge Albregts granted in part and denied in part Plaintiff's Motion to Quash Third-Party Subpoenas (ECF No. 26). Plaintiff subsequently filed Objections to Magistrate Judge Albregts' Order, which District Judge Gordon affirmed by Order dated March 3, 2020 (ECF No. 32). Thereafter, Defendant issued amended subpoenas to Caesars Palace and Able Baker Brewing for Plaintiff's employment records in accordance with District Judge Gordon's Order. Defendant received a response to its subpoena from Caesars Palace timely but Able Baker Brewing and treating healthcare provider, D. Ted Cohen responded to the respective subpoenas late.

B. STATEMENT SPECIFYING THE DISCOVERY THAT REMAINS TO BE COMPLETED

Plaintiff anticipates taking the deposition of Defendant Wynn Las Vegas, LLC pursuant to Federal Rule of Civil Procedure 30(b)(6). Plaintiff also anticipates taking the depositions of individuals with knowledge of the facts and circumstances surrounding the allegations in the Complaint. Such individuals are anticipated to include Jeralynn Makaiwi, Karen Sanchez, Melissa Espino-Cascos, and Tia Gibson.

Defendant anticipates taking the deposition of Plaintiff Tiare Ramirez and perhaps others based upon the deposition testimony provided.

C. THE REASONS WHY DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN

The original close of discovery was to take place on April 10, 2020 (ECF No. 16). However, on February 14, 2020, Plaintiff's lead counsel experienced a family medical emergency which required his immediate attention. Therefore, the parties agreed to extend discovery for a period of sixty (60) days, which this Court approved on February 28, 2020 (ECF No. 31). Since that time, the COVID-19 pandemic developed which has

1 created significant obstacles in the parties' ability to conduct discovery in the normal
2 course. Most notably, Defendant temporarily closed its operations to the public and
3 furloughed hundreds of employees in accordance with Governor Sisolak's Executive
4 Orders declaring an emergency on March 12, 2020, and ordering all non-essential
5 businesses and gaming operations to cease, which have been subsequently extended
6 until further notice. As a result, witnesses who are likely to be deposed in this case are
7 not readily accessible or available to participate in discovery. Therefore, the parties seek
8 a further extension of discovery to address the aforementioned challenges caused by
9 the COVID-19 pandemic. This request is not sought for any improper purpose or other
10 reason of delay. No party is prejudiced by the requested extension.

11
12 **D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING
DISCOVERY:**

13
14 **1. Discovery Cut-Off**

15 The discovery cut-off shall be extended from September 7, 2020 to **Monday**
16 **December 7, 2020** (December 6, 2020 falls on a Sunday).

17
18 **2. Amending the Pleadings and Adding Parties**

19 The deadline to move to amend the pleadings and parties has closed. No such
20 request to amend the pleadings and parties is requested.

21
22 **3. Expert Disclosure**

23 The deadline to name initial experts has closed. No such request to disclose
24 experts or rebuttal experts is requested.

25
26 **4. Dispositive Motions**

27 In accordance with Local Rule 26-1(b)(4), the last day for filing dispositive
28 motions including, but not limited to motions for summary judgment, shall be extended
from October 7, 2020 to **Tuesday, January 5, 2021.**

5. Pre-Trial Order

In accordance with Local Rule 26-1(b)(5), the last day to file a Joint Pre-Trial

Order, including any disclosures pursuant to FRCP 26(a)(3), shall be extended from November 6, 2020 to **Thursday, February 4, 2021**. In the event dispositive motions are filed, the date for filing the Joint Pre-Trial Order shall be suspended until thirty (30) days after the decision on the dispositive motions or upon further order by the Court extending the time period in which to file the Joint Pre-Trial Order.

6. Fed. R. Civ. P. 26(a)(3) Disclosures

If no dispositive motions are filed, and unless otherwise ordered by this Court, the parties shall file the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto with the Pretrial Order pursuant to LR 26-1(e)(6) in the Joint Pretrial Order, not more than thirty (30) days after the date set for filing dispositive motions and, therefore, not later than Thursday, February 4, 2021.

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7. Trial and Calendar Call

No trial has been set in this matter.

Dated this 4th Day of August 2020 Dated this 4th Day of August 2020

LITTLER MENDELSON, P.C.

GABROY LAW OFFICES

By: /s/ Wendy Krincek
Wendy Krincek, Esq.
3960 Howard Hughes Parkway
Suite 300
Las Vegas, NV 89169
wkrincek@litler.com
Attorneys for Defendant

By: /s/ Christian Gabroy
Christian Gabroy, Esq.
The District at Green Valley Ranch
170 South Green Valley Parkway
Suite 280
Henderson, NV 89012
Telephone: (702) 259-7777
christian@gabroy.com
Attorney for Plaintiff

ORDER

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

Dated: August 6, 2020

GABROY LAW OFFICES
170 S. Green Valley Pkwy., Suite 280
Henderson, Nevada 89012
(702) 259-7777 FAX: (702) 259-7704